

7044.0450 CLASSIFICATION AND RECLASSIFICATION OF SITES.

Subpart 1. **Classifications.** Sites with a release or a threatened release shall be assigned to the following response action classes:

- A. a declared emergency by the commissioner;
- B. the operation and maintenance at a site that has undergone previous response actions;
- C. other response actions which may include the first year costs associated with operation and maintenance at a site; and
- D. remedial investigations and feasibility studies.

Subp. 2. **Classification of site.** A site with a release or a threatened release may be assigned to more than one response action class and may be assigned more than once within a response action class if conditions at the site of the release or the threatened release or the diversity of hazardous substances, pollutants, or contaminants require multiple response actions. Assignment of a site with a release or a threatened release to a response action class must be based on the response action necessary to abate the known or suspected dangers associated with hazardous substances, pollutants, or contaminants at the site of the release or the threatened release.

At the time of proposing to list a site on the permanent list of priorities, the Pollution Control Agency shall indicate the appropriate classifications for a PCA site. The commissioner of agriculture shall indicate the appropriate classifications for an agricultural chemical site.

Subp. 3. **Reclassification of site.** The commissioner may reclassify a site or an operable unit of a site between updates in the permanent list of priorities based on completion of response actions for that class at the site or an operable unit of the site. A site may be reclassified based on the findings and recommendations of a remedial investigation and feasibility study.

Statutory Authority: *MS s 14.06; 115B.17*

History: *9 SR 58; L 1987 c 186 s 15; 17 SR 2328*

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